

UNITED STATES DISTRICT COURT

Western District of Washington

UNITED STATES OF AMERICA
v.

BINANCE HOLDINGS LIMITED, d/b/a
BINANCE.COM

JUDGMENT IN A CRIMINAL CASE

(For Organizational Defendants)

CASE NUMBER: 2:23CR00178RAJ

M. Kendall Day
Defendant Organization's Attorney

THE DEFENDANT ORGANIZATION:

☒ pleaded guilty to count(s) 1, 2, and 3

☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.

☐ was found guilty on count(s) _____
after a plea of not guilty.

The organizational defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. § 371	Conspiracy	10/1/2022	1
18 U.S.C. § 1960(a) et seq.	Conducting an unlicensed money transmitting business	10/1/2022	2
50 U.S.C § 1705 et seq	Violation of IEEPA	05/01/2022	3

The defendant organization is sentenced as provided in pages 1 through 4 of this judgment.

☐ The defendant organization has been found not guilty on count(s) _____

☐ Count(s) _____ ☐ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant organization must notify the United States attorney for this district within 30 days of any change of name, principal business address, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant organization must notify the court and United States attorney of material changes in economic circumstances.

Defendant Organization's
Federal Employer I.D. No.: n/a

Defendant Organization's Principal Business Address:

PO Box 500, 71 Fort Street, Grand Cayman.

Cayman Islands, KY1-1104

Defendant Organization's Mailing Address:

Same as above

February 23, 2024

Date of Imposition of Judgment

Signature of Judge

Richard A. Jones, United States District Judge

Name and Title of Judge

FEB 23, 2024

Date

Sheet 1A

Judgment—Page 2 of 4

DEFENDANT ORGANIZATION: BINANCE HOLDINGS LIMITED, d/b/a BINANCE.COM
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PROBATION

The defendant organization is hereby sentenced to probation for a term of: 3 years from the date the monitor is selected.

The defendant organization shall not commit another federal, state or local crime.

If this judgment imposes a fine or a restitution obligation, it is a condition of probation that the defendant organization pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant organization must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page (if indicated below).

STANDARD CONDITIONS OF SUPERVISION

SPECIAL CONDITIONS OF SUPERVISION

DEFENDANT ORGANIZATION: BINANCE HOLDINGS LIMITED, d/b/a BINANCE.COM
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CRIMINAL MONETARY PENALTIES

The defendant organization must pay the following total criminal monetary penalties under the schedule of payments on Sheet 4.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 1,200	\$ 1,805,475,575	\$ 0

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☐ The defendant organization shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant organization makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
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☐ Restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant organization shall pay interest on restitution or a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 4 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant organization does not have the ability to pay interest, and it is ordered that:

☐ the interest requirement is waived for _____ fine ☐ restitution.

☐ the interest requirement for the _____ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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SCHEDULE OF PAYMENTS

Having assessed the organization's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A ☐ Lump sum payment of \$ _____ due immediately, balance due
☐ not later than _____, or
☐ in accordance with ☐ C or ☐ D below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C or ☐ D below); or
- C ☐ Payment in _____ (e.g., equal, weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☒ Special instructions regarding the payment of criminal monetary penalties:
 No later than 30 days after the Defendant's sentencing, payment of \$898,618,825, the Count 3 money judgment;
 No later than 6 months after the Defendant's sentencing, payment of \$1,612,031,763 of the criminal fine, subject to the crediting set forth in Paragraph 14(a) of the Plea Agreement, *see* Dkt. 23 & 28; and
 No later than 15 months after the Defendant's sentencing, payment of \$1,805,475,575 of the Count 2 money judgment and the remainder criminal fine, subject to the crediting set forth in Paragraphs 14(a) and 16 of the Plea Agreement. *See* Dkt. 23 & 28.

All criminal monetary penalties are made to the clerk of the court.

The defendant organization shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

☐ The defendant organization shall pay the cost of prosecution.

☐ The defendant organization shall pay the following court cost(s):

☒ The defendant organization shall forfeit the defendant organization's interest in the following property to the United States:
 See Order of Forfeiture at Dkt. No. 31

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.